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Monday  
May 8, 1995

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**Part XXXIV**

**Office of Federal  
Housing Enterprise  
Oversight**

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**Semiannual Regulatory Agenda**

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT (OFHEO)

**OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT**  
**12 CFR Ch. XVII**  
**Semiannual Agenda**  
**AGENCY:** Office of Federal Housing Enterprise Oversight.  
**ACTION:** Semiannual agenda of regulations expected to be issued.

**SUMMARY:** This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354, September 19, 1980) and Executive Order 12866 ("Regulatory Planning and Review," September 30, 1993), which require the publication of a semiannual agenda of regulations.  
**FOR FURTHER INFORMATION CONTACT:** Gary L. Norton, Deputy General Counsel,

Office of Federal Housing Enterprise Oversight, 1700 G Street NW., Washington, DC 20552, (202) 414-3800.  
**Dated:** February 17, 1995.  
**Aida Alvarez,**  
*Director, Office of Federal Housing Enterprise Oversight.*

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT (OFHEO)

Prerule Stage

**4168. • RISK-BASED CAPITAL**  
**Priority:** Agency Priority  
**Legal Authority:** 12 USC 4611; 12 USC 4513(b)(1)  
**CFR Citation:** 12 CFR ch 17  
**Legal Deadline:** Final, Statutory, December 1, 1994.  
**Abstract:** Title XIII of the Housing and Community Development Act of 1992, Pub. L. No. 102-550 known as the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, 12 USC 4501 et seq, gives the Office of Federal Housing Enterprises Oversight (OFHEO) the responsibility for developing a risk-based capital regulation for the Federal National

Mortgage Association and the Federal Home Loan Mortgage Corporation (collectively, the Enterprises). To discharge this responsibility, OFHEO must develop and implement a risk-based capital "stress test" that, when applied to the Enterprises, determines the amount of capital that an Enterprise must hold initially to maintain positive capital throughout a ten-year period of economic stress.  
An Advance Notice of Proposed Rulemaking solicited public comment on a variety of issues prior to the publication of a proposed rule. The comment period ends on May 9, 1995. OFHEO will consider the comments in developing its proposed regulation.

**Timetable:**

Action	Date	FR Cite
ANPRM	02/08/95	60 FR 7468
ANPRM Comment Period End	05/09/95	60 FR 7468
NPRM	10/00/95	

**Small Entities Affected:** None  
**Government Levels Affected:** None  
**Agency Contact:** Anne E. Dewey, General Counsel, Office of Federal Housing Enterprise Oversight, 1700 G Street NW., Washington, DC 20552, **202 414-3800**  
**RIN:** 2550-AA02

OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT (OFHEO)

Proposed Rule Stage

**4169. • RELEASING INFORMATION**  
**Priority:** Agency Priority  
**Legal Authority:** 5 USC 552; 12 USC 4513; 12 USC 4526; 12 USC 4639; EO 12600  
**CFR Citation:** 12 CFR 1710  
**Legal Deadline:** None  
**Abstract:** The Office of Federal Housing Enterprise Oversight (OFHEO) intends to issue a proposed rule to set forth the basic policies of OFHEO regarding information it maintains and the procedures for obtaining access to such information. The rule contains regulations of OFHEO implementing the Freedom of Information Act (FOIA) and establishes a schedule of fees that will be charged for the processing of document requests under the FOIA. In addition, the proposed rule sets forth procedures to be followed with respect

to testimony and the production of documents in legal proceedings in which OFHEO is not a named party as well as procedures for service of process upon OFHEO in any legal proceeding.  
**Timetable:**

Action	Date	FR Cite
NPRM Comment Period End	07/00/95	

**Small Entities Affected:** Undetermined  
**Government Levels Affected:** Undetermined  
**Agency Contact:** Anne E. Dewey, General Counsel, Office of Federal Housing Enterprise Oversight, 1700 G Street NW., Washington, DC 20552, **202 414-3800**  
**RIN:** 2550-AA01

**4170. • MINIMUM CAPITAL**  
**Priority:** Agency Priority  
**Legal Authority:** 12 USC 4513(b)(1); 12 USC 4514; 12 USC 4612; 12 USC 4614  
**CFR Citation:** 12 CFR 1750  
**Legal Deadline:** Final, Statutory, December 1, 1994.  
**Abstract:** The Office of Federal Housing Enterprise Oversight (OFHEO) intends to propose to issue a regulation setting forth minimum capital levels for the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation (collectively, the Enterprises). The proposed regulation will define the necessary terms and set forth the methodology for computing minimum capital levels. The proposed regulation will also establish procedures for the filing of quarterly minimum capital level reports by the

## OFHEO

## Proposed Rule Stage

Enterprises. In addition, the proposed regulation will establish procedures under which OFHEO will make capital classifications of the Enterprises.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/95	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Sectors Affected:** None

**Agency Contact:** Anne E. Dewey, General Counsel, Office of Federal Housing Enterprise Oversight, 1700 G Street NW., Washington, DC 20552, **202 414-3800**

**RIN:** 2550-AA03

## OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT (OFHEO)

## Completed/Longterm Actions

#### 4171. OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT REGULATIONS

**Legal Authority:** 12 USC 4513(b)(1); 12 USC 1451; 12 USC 1716 et seq; 5 USC ch 5, subchapter II

**CFR Citation:** 12 CFR 1700 et seq

**Legal Deadline:** None

**Abstract:** Various regulations are needed to implement the authorities vested in the Office of Federal Housing Enterprise Oversight (OFHEO), which began operations in June 1993. In addition to establishing the operations of OFHEO as an independent office within the Department of Housing and Urban Development, the Director of OFHEO has specific statutory duties

and authorities to ensure adequate capitalization and financial safety and soundness of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac). Regulations to be issued will address the following areas: organization of OFHEO; access to information under the Freedom of Information Act; required capital levels; and amendments made to the charter acts of Fannie Mae and Freddie Mac.

**Timetable:**

Action	Date	FR Cite
Withdrawn - Replaced	02/01/95	
by RIN 2550-AA01,		
-AA02, and -AA03		

**Small Entities Affected:** None

**Government Levels Affected:** None

**Additional Information:** ADDITIONAL CONTACT PERSON: Gary L. Norton, Deputy General Counsel, Office of Federal Housing Enterprise Oversight; 700 G Street NW.; Fourth Floor; Washington, DC 20552; 202 414-3800.

Formerly reported under HUD RIN 2501-AB59.

**Agency Contact:** Anne E. Dewey, General Counsel, Office of Federal Housing Enterprise Oversight, 1700 G Street NW., Washington, DC 20552, **202 414-3800**

**RIN:** 2550-AA00

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